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C O N F I D E N T I A L LILONGWE 000404

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STATE FOR AF/S GABRIELLE MALLORY
STATE FOR INR

E.O. 12958: DECL: 05/10/2011
TAGS: [PGOV](#) [KDEM](#) [MI](#)
SUBJECT: NEW INTELLIGENCE SERVICE NOT UP AND RUNNING

REF: A. 06LILONGWE390

[1](#)B. 05LILONGWE299

Classified By: Political Officer Tyler Sparks for reasons 1.4 B and A.

[1](#)1. (C) Ambassador Eastham met with the newly appointed Director General of Malawi's re-constituted Security Intelligence Service (SIS), Brigadier General Rueben Ngwenya, on May 9 to discuss SIS's mission and plans for re-establishing an effective intelligence service in Malawi. Ngwenya has been serving as the Director of Military Intelligence, while his deputy Clemence James Kapalamula comes from the ranks of the police service.

[1](#)2. (C) Ngwenya outlined the way in which the SIS's predecessor, the National Intelligence Bureau (NIB) had been disbanded, and its leadership forced into retirement. The rank and file of the NIB were subsequently absorbed by the police service. As such, he and his deputy must set up the service completely from scratch, cobbling together those they can recruit back from the police and a completely new senior staff. (COMMENT: According to an article in the May 10 Nation, some 200 of the former NIB employees have been found to be unqualified for the work they were doing in the NIB prior to its disbandment. END COMMENT) The SIS will work out of the Office of the President and Cabinet and, while it will have some small international component, will focus primarily on domestic matters, including particularly potential terrorism.

[1](#)3. (C) Ngwenya was vague on the legal details of re-establishing the service. Though a bill establishing the SIS has been drafted, it is languishing in Cabinet and has yet to be presented to Parliament. Even after it makes it out of Cabinet, the bill will have to be passed by an opposition-controlled Parliament worried about politically motivated arrests (reftel A). Ngwenya himself, however, did not seem overly concerned with the legislation or the fact that the president has appointed him without Parliament's approval, a move which has brought the government headaches in the past (reftel B). COMMENT: In technical terms, he is still a serving Malawi Defense Force officer and his deputy a senior Malawi Police Service officer. While this may keep their paychecks coming, it is politically risky to bypass both the authorizers and the public appointments committee (equivalent to confirmation) for an appointment of this sensitivity. END COMMENT.

[1](#)4. (C) In a separate conversation with the Minister of Justice on May 10, the Minister said that the bill was indeed stuck in Cabinet and that he had written to the President to

urge him to move it forward. He said (off-the-record) that he had been surprised by the nomination of Ngwenya, since it had been understood that the presentation of the bill in Parliament would precede the nomination. Moreover, the British High Commissioner told the Ambassador May 9 that the assistance Mutharika had requested from the U.K. was on hold until the bill was passed and that a U.K. technical advisor on this subject was very likely to return home in the near future, given the lack of progress toward achieving this pre-condition for further training or other assistance for the new service.

15. (C) Comment: We need to wait and watch how this plays out. The new Director General stumbled when asked to describe his organization's mission, saying that it was to protect the national security of Malawi from threats such as terrorism and the like. Moreover, we believe the government faces a serious uphill struggle to pass the legislation in the present parliament. The appointment of the Director General, made during a parliamentary recess and without consulting the leadership, presents a huge political target for the opposition when the legislature reconvenes in June. It is likely that this service will be internally (and politically) focused, but until this becomes clearer, and until the politics of the re-creation of the intelligence service has played out, we'll be watching from a distance.
END COMMENT.

16. (C) Bio Note: Ngwenya moves into the position directly from that of the Director of Military Intelligence, before which he served as the Deputy Director of Military Intelligence. According to post files he is both technically and tactically astute, and has had extensive U.S. based training. He has a reputation for flowing with the political current, and has in the past bent to political pressure from within the military. That said, he was the acting Director of Military Intelligence during the disarmament of the Young Pioneers in 1993/94.

EASTHAM